

DOCUMENT #
4161770

02/14/2006 12:45PM

Trans. Fee:
Exempt #:

Rec. Fee: 23.00
Pages: 7

DOCUMENT NO. CONDOMINIUM DECLARATION

**FIRST AMENDMENT TO
CONDOMINIUM DECLARATION OF
KINGS MOUNTAIN CONDOMINIUM**

THIS AMENDMENT TO DECLARATION is made to the Condominium Declaration of Kings Mountain Condominium, dated August 26, 2004, and recorded in the Office of the Register of Deeds for Dane County, Wisconsin, on September 2, 2004, as Document No. 3963453 (the "Declaration").

WITNESSETH:

Hickory Grove IV, LLC, as Declarant under the Declaration, and Kraus Real Estate & Builders, Inc., the present owner of all condominium units, in accordance with the provisions of the Declaration, desires to amend the Declaration to affect the real estate as legally described on the attached Exhibit A.

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. AMENDED PLAT AND FLOOR PLANS.

The real estate described on the attached Exhibit A and on the First Addendum to Kings Mountain Condominium Plat, a copy of which is attached hereto and incorporated herein by reference as Exhibit B, shall amend and replace the Condominium Plat attached to the Declaration. The real estate hereby submitted shall be subject to all of the provisions of the Declaration, the Bylaws of the Kings Mountain Condominium Owners' Association, Ltd., and such rules, regulations, decisions and resolutions as from time to time may be adopted by said Association in accordance with its Bylaws upon the aforesaid Amendment becoming effective, and all of the provisions of the Declaration shall remain in full force and effect.

2. PARKING SPACES.

Subsection 8.3 of the Declaration shall be replaced, in its entirety, with the following:

"8.3 Parking Spaces. Each Unit Owner shall have the use of an underground parking space designated by a number on the most current floor plans, with the number of the parking space corresponding to the Unit Number.

000570

RECORDING DATA

RETURN TO:
Attorney Gregg A. Auby
Eustice, Laffey, Sebranek & Auby, S.C.
P.O. Box 590
Sun Prairie, WI 53590-0590

TAX PARCEL NOS.:

SEE EXHIBIT A

7/23

There are two areas designated on the floor plans for motorcycle parking, with two motorcycles being able to park in each designated area, with motorcycle parking to be assigned by the Association.

Parking spaces may be rented on a first-come first-serve basis, with all proceeds of such rental being distributed to the Association. The fee for such rental shall be determined by the Association.

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Parking spaces not assigned by number on the most current floor plans, including those spaces designated as "spare," and including outdoor parking spaces, shall be Reserved Common Elements, to be used by the Association in a manner consistent with the best interests of the Association. Outdoor parking spaces are to be reserved primarily for the use of visitors. Unit Owners may park in outdoor parking spaces for a period not to exceed thirty (30) minutes.

The Association shall promulgate rules and regulations regarding the use of all parking spaces."

3. RENTAL OF UNITS

Subsection 17.3 of the Declaration shall be replaced, in its entirety, with the following:

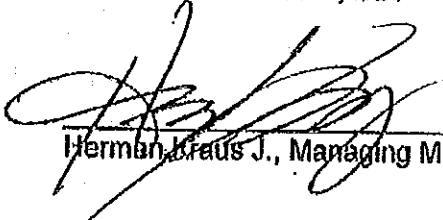
"17.3 Rental of Units. All units in Kings Mountain Condominium shall be owner-occupied. No unit shall be rented, except that each unit owner shall have the right to rent their unit on a month-to-month basis for a period not to exceed six (6) months to allow the unit owner to move and resell the unit. This provision shall not be construed to prohibit an owner from having a person or persons who provide living assistance to the owner living with the owner, regardless of the contractual arrangements. The owner must provide the association with the names and phone numbers of the tenants and a copy of any written lease. The owner shall be and remain financially responsible to the other owners and the association for any and all financial obligations of the tenants and their guests and invitees to the other owners and the Association. The Unit owner shall be responsible for the conduct of the tenants/sub-tenants and shall be liable for any and all damages caused during the tenants'/sub-tenants' occupancy of the Unit.

The above rental restrictions shall not apply to Units owned by Hickory Grove IV, LLC, Kraus Real Estate & Builders, Inc., Herman Kraus J., Christine M. Kraus or Mandy K. Kraus, whether such Unit was originally owned by Hickory Grove IV, LLC, Kraus Real Estate & Builders, Inc., Herman Kraus J., Christine M. Kraus or Mandy K. Kraus or was subsequently acquired by Hickory Grove IV, LLC, Kraus Real Estate & Builders, Inc., Herman Kraus J., Christine M. Kraus or Mandy K. Kraus."

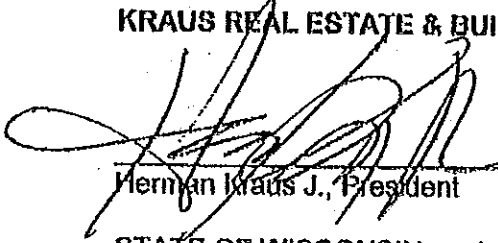
IN WITNESS WHEREOF, the said Herman Kraus J., Managing Member of Hickory Grove IV, LLC, Declarant, and President of Kraus Real Estate & Builders, Inc., has caused this document to be executed as of the date first set forth above.

HICKORY GROVE IV, LLC

000572

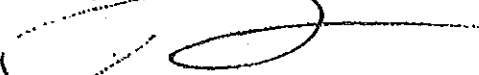

Herman Kraus J., Managing Member

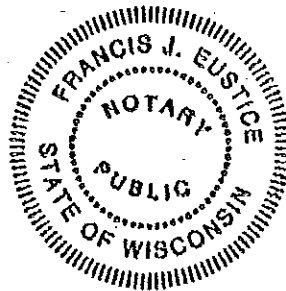
KRAUS REAL ESTATE & BUILDERS, INC.


Herman Kraus J., President

STATE OF WISCONSIN)
) ss.
DANE COUNTY)

On this 10 day of February, 2006, personally appeared before me the above named Herman Kraus J., to me known to be the person whose name is subscribed to the foregoing First Amendment to Condominium Declaration of Kings Mountain Condominium, and he acknowledges that he executed the same for the purposes therein contained.


Print Name: FRANCIS J. EUSTICE
Notary Public, State of Wisconsin
My Commission is permanent.



This instrument was drafted by:
Attorney Gregg A. Auby
Eustice, Laffey, Sebrahek & Auby, S.C.
The Cornerstone, Suite 202
100 Wilburn Road, P.O. Box 590
Sun Prairie, WI 53590
(608) 837-7386

**EXHIBIT A
KINGS MOUNTAIN CONDOMINIUM**

000573

PHASE I LEGAL DESCRIPTION

Kings Mountain Condominium Units 1 through 24, City of Sun Prairie, Dane County, Wisconsin.

TAX PARCEL NUMBERS

282-0911-314-3750-2	282-0911-314-3752-2	282-0911-314-3754-2
282-0911-314-3756-2	282-0911-314-3758-2	282-0911-314-3760-2
282-0911-314-3762-2	282-0911-314-3764-2	282-0911-314-3766-2
282-0911-314-3768-2	282-0911-314-3770-2	282-0911-314-3772-2
282-0911-314-3774-2	282-0911-314-3776-2	282-0911-314-3778-2
282-0911-314-3780-2	282-0911-314-3782-2	282-0911-314-3784-2
282-0911-314-3786-2	282-0911-314-3788-2	282-0911-314-3790-2
282-0911-314-3792-2	282-0911-314-3794-2	282-0911-314-3796-2

FUTURE PHASES LEGAL DESCRIPTION

Lot 196, Liberty Square, City of Sun Prairie, Dane County, Wisconsin.

Tax Parcel No. 282-0911-314-3156-2

EXHIBIT B

KINGS MOUNTAIN CONDOMINIUM PLAT

000524

NOTE: PLEASE BE ADVISED THAT THE DOCUMENT GRANTOR(S) HEREBY DIRECT VIEWERS TO IGNORE THE PRINTED TEXT MATERIAL ON THE FOLLOWING MAPS. ONLY THE SPATIAL RELATIONSHIPS OF THE ILLUSTRATIONS ON THE MAPS ARE BEING PRESENTED FOR YOUR INFORMATION.

KLF

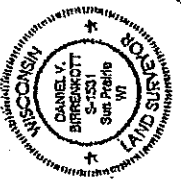
KINGS MOUNTAIN CONDOMINIUM
A CONDOMINIUM PLAT

CITY OF SUN PRAIRIE, DANE COUNTY, WISCONSIN



SCALE: 1" = 40'

Plot Address



SURVEYOR'S CERTIFICATE:
 I, Daniel V. Birrenkott, Wisconsin Registered Land Surveyor No. 5-1531, do hereby certify that I have surveyed and accepted the plat hereon, and that the same is in accordance with the official records of the State of Wisconsin. I have also certified to the correct representation of the condominium described and the identification and location of each unit and the common elements as determined from this plat.

Daniel V. Birrenkott
 Land Surveyor
 No. 5-1531

DESCRIPTION:
 Lot 187, Liberty Square, City of Sun Prairie, Dane County, Wisconsin.

PLAT RECORDING INFORMATION:
 Lot 187, Liberty Square, City of Sun Prairie, Dane County, Wisconsin.

RECEIVED FOR RECORDING THIS _____ DAY OF _____ 2003 AT _____ O'CLOCK _____ M., AND _____ CONDOMINIUM PLATS ON PAGES _____ OF _____ OCCIDENT NUMBER _____

JANE G. LINDY, REGISTER OF DEEDS
 DANE COUNTY, WISCONSIN

Notes:
 1) This property is subject to any and all easements and encumbrances, both recorded and unrecorded.
 2) All interests, if present, have not been abstracted.
 3) All areas outside of units are Common Elements unless otherwise indicated.
 4) Units may be decreased with interior partition, subdivision, but not limited to interior partitioning walls and interior deck openings. These are for informational purposes and may be subject to change by the developer. They should not be relied upon for exact interior design.

BIRRENKOTT SURVEYING, INC.

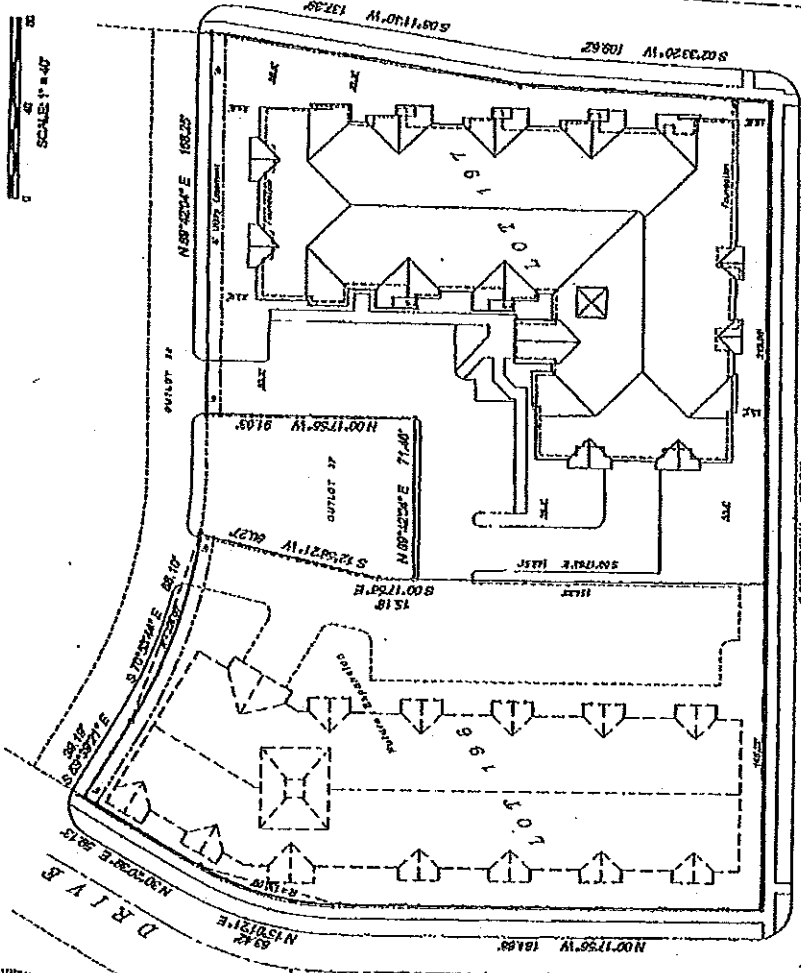
PREPARED BY:
 BIRRENKOTT SURVEYING, INC.
 1877 N. BRISTOL STREET
 P.O. BOX 237
 SUN PRAIRIE, WI 53590
 (608) 837-4425
 (530) 837-1081 FAX

PREPARED FOR:
 KWALL BUILDERS
 711 LONE DRIVE
 SUN PRAIRIE, WI 53590

LIBRARY NO. 03590

LIBRARY NO. 03590

LEGEND:
 * COMMONS
 LCE LIMITED COMMON ELEMENTS
 CE COMMON ELEMENTS



SCHOOL STREET

LIBERTY BOULEVARD

BUNKER HILL

DELRAY

NOTES REFERRED TO ARE IN THE PLANS OF THE LIBRARY OF LIBERTY BOULEVARD, PLATTED PLANS OF 87-41-11-1

57500

SHEET 1 OF 2
 OFFICE MAP NO. 041012